

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

RONNIE LEE HICKS, II,

Plaintiff,

V.

CHERYL STRANGE, *et al.*,

## Defendants.

CASE NO. 2:22-CV-284-TL-DWC

**ORDER DIRECTING PLAINTIFF TO  
PROVIDE ADDRESS OF UNSERVED  
DEFENDANT**

Plaintiff was granted leave to proceed *in forma pauperis* (“IFP”) on April 26, 2022, and

his Complaint was docketed on the same day. Dkts. 4, 5. On April 26, 2022, the Court directed

service of the Complaint on the named Defendants. Dkt. 7. The Clerk's Office mailed the

Complaint and waiver of service forms to each Defendant. However, by Notice entered on May

24, 2022, Defendants informed the Court that they were unable to identify Defendant A.

Watanabe as a current State of Washington employee and, therefore, were unable to waive

service on behalf of this Defendant, Dkt. 13. Further, Defendants noted that attempts were

to mail the waiver of service to Defendant A, Watanabe's last known mailing address with no

response. *Id.* Subsequently, on June 28, 2022, the Court directed Defendants to file under seal

1 last known address for Defendant A. Watanabe. Dkt. 15. Defendants filed the address under seal  
2 on June 28, 2022 (*see* Dkt. 17 (sealed)), and the Court directed service on July 6, 2022 (Dkt. 18).  
3 However, the mailing sent to Defendant A. Watanabe was returned to the Court marked  
4 "Undeliverable/Return to Sender, Unable to Forward." Dkt. 19.

5 While the Court has the duty to serve the summons and complaint, *see* 28 U.S.C. §  
6 1915(d), an IFP plaintiff still bears the burden of providing accurate and sufficient information to  
7 effect service. *See Walker v. Sumner*, 14 F.3d 1415 (9th Cir. 1994); *see also* Fed. R. Civ. P. 4.  
8 When an IFP plaintiff fails to provide the Court with accurate and sufficient information to effect  
9 service of the summons and complaint, it is appropriate for the Court to *sua sponte* dismiss the  
10 unserved defendant. *Walker*, 14 F.3d at 1421-22 (quoting *Puett v. Blanford*, 912 F.2d 270, 275  
11 (9th Cir. 1990), *abrogated on other grounds by Sandin v. Connor*, 515 U.S. 472 (1995)).

12 Plaintiff is directed to provide the complete address for Defendant A. Watanabe so the  
13 Court can again attempt service by mail. This address must be provided to the Court on or before  
14 December 30, 2022, or the Court will recommend dismissal of Defendant A. Watanabe from this  
15 action for failure to prosecute.

16 Dated this 5th day of December, 2022.

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19 David W. Christel  
20 United States Magistrate Judge  
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